

P 379 615 224



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

WVFRP005, FRP03A0194

ATTN: MICHAEL DUDLEY  
ETOWAH TERMINAL  
1015 BARLOW DR  
CHARLESTON WV 25311

PS Form 3800, June 1991

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-92-B-0226

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

WVFRP005, FRP03A0194  
ATTN: MICHAEL DUDLEY  
ETOWAH TERMINAL  
1015 BARLOW DR  
CHARLESTON WV 25311

**4a. Article Number**

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**4b. Service Type**

- |                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

**7. Date of Delivery****8. Addressee's Address (Only if requested and fee is paid)**

5. Signature (Addressee)

6. Signature (Agent)

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE  
USE, \$300

Print your name, address and ZIP Code here

U. S. Environmental Protection Agency, Region III  
CERCLA Removal Enforcement Section

841 Chestnut Building,

Philadelphia, PA 19107

3HW34

ORIGINAL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107-4431

SEP 01 1994

CERTIFIED: RETURN RECEIPT REQUESTED

FRP ID # FRP03A0194  
REG ID # WVFRP005

ETOWAH TERMINAL  
1015 BARLOW DR  
CHARLESTON WV 25311  
ATTN: MICHAEL DUDLEY

Section 311 (j) (5) of the Clean Water Act (CWA) as amended by Section 4202 (a) (5) of the Oil Pollution Act of 1990 (OPA) requires an onshore facility, which because of its location could reasonably be expected to cause significant and substantial harm to the environment by discharging into or on the navigable waters or adjoining shorelines or the exclusive economic zone ("significant and substantial harm" facility), to have a facility response plan approved by the Environmental Protection Agency (EPA or "the Agency"). Section 311 (j) (5) (E) of CWA prohibits a "significant and substantial harm" facility from handling, storing, or transporting oil if its plan has not yet been approved by the Agency unless the facility has been granted an extension by the Agency. Section 4202 (b) (4) (C) of OPA states that the prohibition is effective on August 18, 1993.

EPA notified you that your facility is a "significant and substantial harm" facility. The Agency, however, authorized your facility to continue to operate without approval of your facility response plan until February 18, 1995, based on a review of your facility's certification of response resources.

A completed copy of our checklist is enclosed and identifies items that are either missing or need additional information. An explanation sheet for the checklist summary page is also enclosed. Noted items should be corrected and submitted to EPA within 30 days from receipt of this letter along with clear and concise directions for the updating of your plan. Your prompt response would be greatly appreciated in order for the EPA to meet the February 18, 1995 deadline to approve your plan.

Although the Agency will initially review your facility's plan against the minimum statutory requirements, please note that EPA issued its final Facility Response Plan regulation (59 FR 34070) on July 1, 1994 (copy enclosed). Your facility response plan must come into compliance with every provision of that regulation by February 18, 1995 and you must revise your response plan, if necessary, to satisfy the requirements of this rule and resubmit your plan (or updated portions) to the Regional Administrator (c/o Linda J. Ziegler, FRP Coordinator, Oil and Title III Section, [3HW34], at the above address).

It is important that the above REG ID # be included on all correspondence. Information should be sent to my attention (Oil & Title III Section) at the above address with mail code (3HW34). If you have any questions, please call the Facility Response Plan Information Line at (215) 597-9562.

Sincerely,

*Linda J. Ziegler*

for David P. Wright, Chief  
Oil and Title III Section (3HW34)

Enclosures